

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

IN RE:) 1:21-mc-00132-SAB
)
) ORDER REGARDING USE OF ELECTRONIC
) FILING SYSTEM, DIRECTING APPEARANCE
10 **MIQUEL C. AGUILAR,**) BY SUPERVISING DEPUTY ATTORNEY
) GENERAL, AND SETTING BRIEFING
11) SCHEDULE
)
12) (ECF No. 1)
13)

On December 13, 2021, the Court received a motion from the Plaintiff requesting access to the electronic case filing system at California Correctional Institution (CCI).

Plaintiff contends that he “submitted this complaint to the librarian here at Tehachapi State Prison. After reading my complaint she refuse to file it via e-mail.” (ECF No. 1 at 1.) Plaintiff requests to be exempt from filing his complaint through use of the electronic filing system.

As Plaintiff is incarcerated at CCI, he is subject to the Standing Order in Re: Procedural Rules for Electronic Submission of Prison Litigation Filed by Plaintiff’s incarcerated at CSP-COR. Pursuant to the standing order, which applies to initial filings: (1) new complaints are subject to e-filing and they may not exceed twenty-five pages in length; and (2) motions seeking relief from the standing order, motions for emergency relief, or motions to increase the page limit shall be no more than fifteen (15) pages. As a California Department of Corrections and Rehabilitation participating facility, no initial documents are accepted for filing by the Clerk of Court unless done pursuant to the standing order or the scanning equipment is inoperable for a period longer than forty-eight (48) hours.

1 Based on Plaintiff's allegations, the Court will request the Supervising Deputy Attorney
2 General in charge of the e-service program, Lawrence Bragg, to address Plaintiff's contention that he
3 is not allowed to utilize the e-filing system at CCI. After briefing is submitted, the Court will review
4 any documentation and issue a corresponding order and/or set a telephonic hearing, if necessary.

5 Accordingly, it is HEREBY ORDERED that:

- 6 1. The Clerk of Court is directed to serve a copy of inmate Miquel Aguilar's motion (ECF
7 No. 1) and a copy of this order on Supervising Deputy Attorney General, Lawrence
8 Bragg, and Senior Assistant Attorney General, Monica Anderson;
- 9 2. Mr. Bragg shall file a response to Mr. Aguilar's motion within **fourteen (14)** days from
10 the date of service of this order; and
- 11 3. No case as to the merits of Mr. Aguilar's claims will be opened until the issue
12 regarding the use of the e-filing system is resolved or a civil complaint is filed through
13 the Court's e-filing procedures.

14
15 IT IS SO ORDERED.

16 Dated: **December 15, 2021**



UNITED STATES MAGISTRATE JUDGE